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 JPMorgan Chase Bank, N.A., individually  
 and as an acquirer of certain assets and liabilities of  
 Washington Mutual Bank, FA from the FDIC,  
 acting as receiver, and California Reconveyance  
 Company

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

HANH NGUYEN,	)	CASE NO. 2:11-cv-01799-LRH-RJJ
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
WASHINGTON MUTUAL, BANK N.A.;	)	<b>DEFENDANTS' OBJECTION TO</b>
JPMORGAN CHASE BANK, N.A.;	)	<b>PLAINTIFF'S REQUEST FOR</b>
CALIFORNIA RECONVEYANCE	)	<b>JUDICIAL NOTICE</b>
COMPANY; and DOE individuals 1 to 100,	)	
inclusive; and ROE corporations 1 to 30,	)	
inclusive,	)	
	)	
Defendants.	)	
	)	

Defendants JPMorgan Chase Bank, N.A., individually and as an acquirer of certain assets  
 and liabilities of Washington Mutual Bank, F.A. from the Federal Deposit Insurance  
 Corporation, acting as receiver ("Chase"), and California Reconveyance Company ("CRC")  
 (collectively, "Defendants"), by and through their undersigned counsel, hereby lodge their

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1 objection ("Objection") to Plaintiff Hanh Nguyen's ("Plaintiff") Request for Judicial Notice –  
 2 FRE 201(d) (Docket No. 22) (the "RJN"). Defendants' Objection is supported by the following  
 3 memorandum of points and authorities, the record herein, and any argument the Court may hear  
 4 on this matter.  
 5

### 6 MEMORANDUM OF POINTS AND AUTHORITIES

7 Defendants object to Plaintiff's RJN because the proposed deposition testimony sought to  
 8 be judicially noticed cannot be "accurately and readily determined from sources whose accuracy  
 9 cannot be reasonably be questioned." FRE 201(b)(2).<sup>1</sup> Indeed, Plaintiff acknowledges that she  
 10 "understand[s] and expect[s] Defendants to challenge" the admissibility of the purported  
 11 deposition transcript. (RJN, p. 1.) This is because the transcript is not certified or otherwise  
 12 authenticated via affidavit or otherwise, and is merely posted on a blog that is of unknown origin  
 13 or authorship. Indeed, the authenticity of any document posted on the website cited in Plaintiff's  
 14 RJN can be easily questioned, and thus is not properly judicially noticed.  
 15

16 Moreover, the alleged deposition was taken in connection with a Florida case that has no  
 17 bearing, relevance, or precedence with respect to the instant matter. While Plaintiff asserts that  
 18 the deposition is relevant because the deponent testified that he is not aware of any schedule  
 19 evidencing which loans were purchased by Chase from the Federal Deposit Insurance  
 20 Corporation ("FDIC") (*see* RJN, p. 1), his lack of awareness of such a schedule does not confirm  
 21 that there is no such schedule, as Plaintiff implies. In any event, the lack of a schedule to the  
 22 purchase and assumption agreement between Chase and the FDIC is not an issue that has been  
 23 raised by Plaintiff in the instant litigation. (*See generally* Complaint; *see also* Proposed  
 24 Amended Complaint, Docket No. 10-1.) Indeed, the RJN is premature in this action because it  
 25  
 26

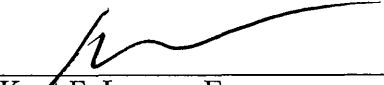
27 <sup>1</sup> Likewise, the purported deposition testimony does not constitute a fact "generally known"  
 28 within this District. *See* FRE 201(b)(1).

1 does not coincide with any pending substantive motion. Procedurally, it is unknown at this stage  
 2 of the litigation what Plaintiff's claims are, given that she has filed multiple requests to amend  
 3 her complaint, and has indicated that she still intends to file yet another motion to amend. (See  
 4 Docket Nos. 10, 16, 18, and 20.)  
 5

6 For all of the foregoing reasons, Defendants respectfully request that the RJN be  
 7 summarily denied.

8 DATED this 11 day of September, 2012.

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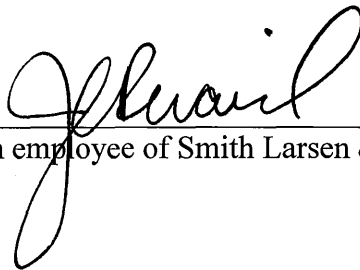
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 12 day of September, 2012, a true copy of the foregoing **Defendants' Objection to Plaintiff's Request for Judicial Notice** was filed electronically via the court's CM/ECF system and served by mail, postage prepaid, to the following:

Hanh Nguyen  
2131 E. Camero Ave.  
Las Vegas, NV 89123  
Plaintiff in Pro Per

  
an employee of Smith Larsen & Wixom

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